



CITY COUNCIL MINUTES REGULAR MEETING DECEMBER 4, 2018

CALL TO ORDER & ROLL CALL

Mayor Debbie Bertlin called the meeting to order at 5:00 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Debbie Bertlin, Deputy Mayor Salim Nice, and Councilmembers Bruce Bassett, Wendy Weiker (arrived 6:15 pm), David Wisenteiner, and Benson Wong were present. Position 4 was vacant.

AGENDA APPROVAL

It was moved by Nice; seconded by Wisenteiner to:

Approve the agenda as presented.

Passed 5-0

FOR: 5 (Bertlin, Nice, Bassett, Wisenteiner, and Wong)

ABSENT: 1 (Weiker)

VACANT: 1 (Position 4)

EXECUTIVE SESSION

Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 60 minutes.

At 5:01 pm, Mayor Bertlin convened the Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes.

At 6:02 pm, Mayor Bertlin reported that the Executive Session would be extended an additional ten minutes.

At 6:15 pm, Mayor Bertlin adjourned the Executive Session and the Regular Meeting reconvened.

STUDY SESSION

AB 5505: Solid Waste Contract Discussion

Jason Kintner, Public Works Director, introduced the Utility Board members in attendance to discuss the solid waste contract. Director Kintner provided background information on the current contract, which expires September 30, 2019 and the competitive RFP process the City commenced. He explained the elements of the RFP process and the evaluation and scoring process for the four proposals that were received.

Director Kintner announced that Recology King County, Inc. scored highest in both sections of the RFP and highlights of its proposal include:

- Collection fleet powered by renewable natural gas (reduced carbon emissions)
- Local call center w/dedicated phone line for Mercer Island residents
- 100% employee-owned through stock ownership plan
- Drivers for recyclable materials and solid waste are paid comparably
- Philosophy on sustainability closely aligns with City's goal to reduce waste ultimately striving for zero waste
- Experience in effective public education & advocacy to improve diversion rates

He also reviewed the 10-year contract, including the base contract, alternatives that were included, and sustainability opportunities. He provided information about the rate increases and that it is anticipated that

single-family residential rates will increase approximately 29% on average. He explained that Recology's base proposal offered the lowest overall rate increase, but the increase is due to the current contract's cost for services is not being representative of today's economic conditions. He reviewed the next steps and timeline for awarding the contract.

Member of the Utility Board provided comments on their experience during the RFP process and regarding Recology. Council asked staff and the Utility Board about the City sustainability adjustment fee, education and outreach, the commodity adjustment mechanism, increases in rates relating frequencies of pick-ups, and waiting to award the contract so the public can weigh in on the bids.

SPECIAL BUSINESS

AB 5506: Mercer Island Library Board Recognition

Recreation Superintendent Diane Mortenson introduced Chair Mary Kay Woolsten and explained that the Mercer Island Library Board is sunseting on December 31, 2018 after four years of working with King County Library Services (KCLS) staff regarding the proposed 2014 library renovations and to improve communications and ensure that Library services met the needs of Mercer Island residents. Mayor Bertlin thanked Ms. Woolsten and recognized her and the other board members for their service to the Community.

CITY MANAGER REPORT

City Manager Julie Underwood reported on the following items:

- Mountains to Sound Trail work removing dead trees between Island Crest Way & Covenant Shores, December 4-7
- SE 40th Ribbon Cutting Ceremony Thurs., Dec. 4 at 10am
- Hanukkah Events Light Up – Mercer Island Thurs., Dec. 6, 5:45 – 8 pm at New Seasons Market and SEAJAM Festival Sat., Dec. 8 – Sun., Dec. 9 at the SJCC
- Tree Lighting & Firehouse Munch This Friday Dec. 7, 6:30 – 8:30pm
- Holiday Charity Craft Fair Sun., Dec. 9, 10:30am - 4:30pm at the VFW Hall
- MIVAL Holiday Show Now through December 14
- YFS Giving Tree Now through December 16 at MICEC
- Tree Planting Volunteer Opportunity at Gallagher Hill - Sat., Dec. 15, 10am-2pm
- Christmas Tree Lot Benefitting Mercer Island Community open Thursdays and Fridays, 1-7pm Saturdays and Sundays, 10am-5pm

APPEARANCES

Janet Pritchard, Mercer Island, spoke about the solid waste contracts and asked the Council to not rush when making the decision.

Lucia Pizio-Biroli, Mercer Island, spoke about a car accident on West Mercer Way near her home and asked for calming devices to slow vehicles down and prevent additional accidents.

Kathy MacDonald, Mercer Island, asked the Council to restore the proposed cuts of the Elementary School Mental Health Counselors in the 2019-2020 budget. She spoke about a change.org petition and NextDoor poll she started regarding the counselors.

Daniel Jenson, Everett, Driver for Republic Services, thanked the Council for a career of 28 years of driving on Mercer Island.

Maria Phillips, Seattle, spoke about her experience as the 2018 Resident for the Recology Artist Program.

Margaret Portelance, Seattle, fourth grade teacher in Seattle, spoke the education and awareness that Recology provides to their school.

Eric Rosebrock, Sammamish, with Hilton Properties, spoke in support of Recology and their services.

Stephen Banchemo, President of Cedar Grove Compost, Mercer Island, spoke about his company's bid for solid waste service for the Island.

Kevin Kelly, General Manager for Recology King County, spoke about his company and current clients.

Ira Appelman, Mercer Island, spoke about the City Manager's recommendation for balancing the budget.

CONSENT CALENDAR

Payables: \$1,230,552.38 (11/29/2018)

Recommendation: Certify that the materials or services hereinbefore specified have been received and that all warrant numbers listed are approved for payment.

Payroll: \$836,854.19 (11/23/2018)

Recommendation: Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

Minutes: April 3, 2018 Regular Meeting and November 20, 2018 Regular Meeting

Recommendation: Adopt the April 3, 2018 Regular Meeting and November 20, 2018 Special Meeting minutes as written.

AB 5503: Interlocal Agreement with NORCOM for iBase Crime Analysis Application

Recommendation: Authorize City Manager to sign the Interlocal Agreement with Northeast King County Regional Public Safety Communication Agency (NORCOM) for implementation of crime analysis application known as IBASE.

AB 5511: First Amendment to Purchase and Sale Agreement with Twenty-Four Eleven, LLC to Develop Long-Term Transit Commuter Parking in the Town Center

Recommendation: Authorize the City Manager to execute the First Amendment to the Purchase and Sale Agreement, in substantially the form attached as Exhibit 1 hereto, between the City of Mercer Island and Twenty Four Eleven, LLC to extend the due diligence period to allow more time to negotiate a Development Agreement.

AB 5512: First Amendment to Purchase and Sale Agreement with Parkway Management Group to Develop Long-Term Transit Commuter Parking in the Town Center

Recommendation: Authorize the City Manager to execute the First Amendment to the Purchase and Sale Agreement, in substantially the form attached as Exhibit 1 hereto, between the City of Mercer Island and Parkway Management Group et al. to extend the due diligence period until December 18, 2018.

It was moved by Wisenteiner; seconded by Wong to:

Approve the Consent Calendar, as amended, and the recommendations contained therein.

Passed 6-0

FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, and Wong)

VACANT: 1 (Position 4)

REGULAR BUSINESS

AB 5472: Code Amendment to Update School Impact Fees (1st Reading and Adoption)

Assistant City Attorney Bio Park explained that school impact fees are imposed on certain residential developments pursuant to chapter 19.17 MICC. The impact fees are collected by the City on behalf of the Mercer Island School District and the amount of the impact fees is calculated and determined annually by the District in its Six-Year Capital Facilities Plan.

MISD Executive Director of Finance Tyrell Bergstrom explained that the District recently updated their Six-Year Capital Facilities Plan, which changes the fee amount. He further explained that the reason for the

decrease in the fees is due to the projected stagnant enrollment growth at Islander Middle School. As a result, middle school growth costs were removed from fee calculations.

It was moved by Wong; seconded by Bassett to:

Suspend City Council Rules of Procedure 6.3 requiring a second reading of an ordinance.

Passed 6-0

FOR: 6 (Bertlin, Nice, Bassett, Weiker, Wisenteiner, and Wong)

VACANT: 1 (Position 4)

It was moved by Wong; seconded by Bassett to:

Adopt Ordinance No. 18C-10 amending Mercer Island City Code 19.17.070(A) to change the amount of School Impact Fees collected by the City for the Mercer Island School District.

Passed 6-0

FOR: 6 (Bertlin, Nice, Bassett, Weiker, Wisenteiner, and Wong)

VACANT: 1 (Position 4)

AB 5508: Approve New Solid Waste Contract

Public Works Director Jason Kintner recapped the details of the Solid Waste RFP process and the presentation during the Study Session earlier in the evening. He noted that Recology King County Inc. scored the highest in both sections of the RFP. He stated that staff is seeking Council direction to execute the comprehensive contract for garbage, recyclables, and compostable collection services with Recology King County Incorporated and that staff will return to Council in early 2019 with transition and implementation plan.

The Council asked questions of staff and discussed the elements of the contract.

It was moved by Bassett; seconded by Nice to:

Authorize the City Manager to execute the comprehensive contract for garbage, recyclables, and compostable collection services with Recology King County Incorporated.

It was moved by Bertlin; seconded by Weiker to:

Amend the main motion to:

Reduce the sustainability fee from 3.5% to 2.1%.

Motion to Amend Failed 2-4

FOR: 2 (Bertlin, Weiker)

AGAINST: 4 (Bassett, Nice, Wisenteiner, Wong)

It was moved by Weiker; seconded by Wong to:

Amend the main motion to:

Move the solid waste contract to the December 11 meeting for second reading and adoption.

Motion to Amend Passed 5-0-1

FOR: 5 (Bertlin, Nice, Weiker, Wisenteiner, Wong)

ABSTAIN: 1 (Bassett)

The Council did not vote on the main motion.

AB 5507: 2019-2020 Final Budget Adoption

Finance Director Chip Corder presented the final 2019-2020 Biennial Budget, which included Council-directed and staff changes. He noted that in response to the Council's direction to reduce the amount of one-time resources used to balance the 2019-2020 General Fund, staff drafted "Guiding Principles for Budget Reductions." City Manager Julie Underwood explained that the Principles are designed to provide high level guidance for the staff when preparing recommendations for the Council's consideration.

He also noted that the MIYFS Foundation has pledged to provide funding to restore the Geriatric Specialist from half-time to full-time status in 2019-2020 and will work to identify funding to restore the Elementary School Counselor reductions in 2019-2020. Finally, he noted that the final budget assumes that the current spending restrictions on B&O tax are removed and that the Beautification Fund is closed.

It was moved by Bassett; seconded by Nice to:

Suspend City Council Rules of Procedure 6.3 requiring a second reading of an ordinance.

Passed 6-0

FOR: 6 (Bertlin, Nice, Bassett, Weiker, Wisenteiner, Wong)

VACANT: 1 (Position 4)

It was moved by Bassett; seconded by Nice to:

Adopt Ordinance No. 18C-19, which removes the spending restrictions on B&O tax and closes the Beautification Fund.

Passed 6-0

FOR: 6 (Bertlin, Nice, Bassett, Weiker, Wisenteiner, Wong)

VACANT: 1 (Position 4)

It was moved by Bassett; seconded by Nice to:

Adopt Ordinance No. 18-18, which encompasses the biennial budget for the City of Mercer Island, Washington for fiscal years 2019-2020.

Passed 6-0

FOR: 6 (Bertlin, Nice, Bassett, Weiker, Wisenteiner, Wong)

VACANT: 1 (Position 4)

It was moved by Bassett; seconded by Nice to:

Direct the City Manager to develop a plan to reduce the amount of one-time resources used to balance the 2019-2020 General Fund budget by \$1.20 million following the Guiding Principles for Budget Reductions and to present this plan to the Council as early as reasonably possible and no later than at its Mini-Planning Session in June 2019.

Passed 6-0

FOR: 6 (Bertlin, Nice, Bassett, Weiker, Wisenteiner, Wong)

VACANT: 1 (Position 4)

OTHER BUSINESS

Councilmember Absences

Councilmember Wong will be late December 11.

Councilmembers Weiker and Wisenteiner will be absent December 6.

Planning Schedule

City Manager Underwood and the Council reviewed the agenda order for the December 11 meeting.

Board Appointments

There were no appointments.

Councilmember Reports

Councilmember Bassett spoke about a meeting regarding post I-1631.

Mayor Bertlin spoke about volunteering at the tree lot, the award from Mountains to Sound Greenway Trust for Arbor Day and tree planting, GMPC meeting, thanked the Rear Admirals who attended Summer Celebration, and the MIYFS Foundation meeting regarding social services in the community.

ADJOURNMENT

The Regular Meeting adjourned at 9:38 pm.

Attest:

Debbie Bertlin, Mayor

Deborah A. Estrada, City Clerk